

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-22 are pending in the application, with 1, 5, 6, 10, 12, and 16 being the independent claims. Claims 1-17 and 19-22 are sought to be amended to correct informalities and/or better reflect an embodiment(s) of Applicant's invention. Support for the amended claims can be found throughout Applicant's application, including for example at page 9 (lines 8-20), page 10 (lines 15-24), and page 15 (lines 3-19) of the specification and in FIGs. 4 and 6 of the Drawings. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Allowable Subject Matter

In the Office Action, the Examiner allows claims 1-4, 6-9, 12-15, and 18-22. (Paper No. 17, page 2). Applicant appreciates the Examiner's allowance of these claims. In the above amendment, claims 1-4, 6-9, 12-15, and 19-22 have been amended to correct informalities and/or better reflect an embodiment(s) of Applicant's invention. Applicant does not believe that the above amendment alters the patentability of these

claims. Therefore, Applicant respectfully requests the Examiner's consideration and allowance of the amended claims.

Rejections under 35 U.S.C. § 103

In the Office Action, the Examiner sustains the rejection of claims 5, 10, 11, 16, and 17 under 35 U.S.C. § 103, as allegedly being obvious in view of U.S. Patent 6,438,105 B1 to Qarni *et al.* (herein referred to as "Qarni"). (Paper No. 17, page 3). Applicant respectfully traverses notwithstanding the above amendment.

Qarni does not teach or suggest Applicant's invention as recited in the above claims, as previously presented or currently amended. With respect to independent claim 5, Qarni does not teach or suggest, for example,:

transmitting a *check sequence packet* from said source to said destination upon completion of a transmission of said plurality of VoIP packets, wherein said check sequence packet comprises information that, when executed, regenerates missing or damaged information transmitted in any of said plurality of VoIP packets.

With respect to independent claim 10, Qarni does not teach or suggest, for example,:

redundancy means for transmitting a *check sequence packet* upon completion of a transmission of a predetermined quantity of VoIP packets.

With respect to independent claim 16, Qarni does not teach or suggest, for example,:

first computer readable program code means for causing the computer to transmit a ***check sequence packet*** at regular packet intervals, wherein said first computer readable program code means comprises computer readable program code means for causing the computer to alter a duration of said intervals to reach a desired tradeoff between increased tolerance to loss and bandwidth.

To support the rejection of the above claims, the Examiner argues that Qarni “teaches sending a frame check sequence with each of four packets that are sent within a large packet” (Paper No. 17, page 3, emphasis added). This is not recited as Applicant’s invention. As recited above, Applicant claims the transmission of a separate check sequence ***packet*** upon the completion of an interval, during which a series of separate VoIP packets are transmitted from a source (e.g., originating gateway) to a destination (e.g., destination gateway). Support for Applicant’s claim can be found at page 10 (lines 15-24) and page 15 (lines 3-19) of the specification and in FIGs. 4 and 6 of the Drawings. Therefore, the “frame check sequence” disclosed by Qarni is not a separate ***packet*** (see, for example, element “408” in FIG. 4 of Applicant’s application) transmitted after a predefined packet interval (e.g., the completion of a transmission of a plurality of VoIP packets, such as elements “402, 404, and 406” in FIG. 4 of Applicant’s application).

On the contrary, Qarni’s frame check sequence (shown as element “114” in FIG. 10) is appended to each packet (shown as elements “44A, 44B, 44C, and 44D” in FIG. 10), and all of the packets with their personalized frame check sequence are encapsulated as a single frame (shown as frame “36” in FIG. 10). Moreover, Qarni describes that:

[t]he advantage of using the frame check sequence on every packet as indicated in FIG. 10 is that ***if only one IFP/FDP packet takes a hit or is lost*** in the network, then ***with the exception of that packet*** the rest of the frame will be useful and can be processed by the receiving gateway. (Col. 11, lines 3-7, emphasis added).

Therefore, Qarni concedes that a lost "IFP/FDP" packet cannot be regenerated because the "16-bit FCS field 114" for the lost packet would also be lost. Applicant's invention overcomes such limitations (that are described in Qarni) because Applicant's "check sequence information" is transmitted in a separate "check sequence packet" that is not part of a previously transmitted "VoIP packet". Therefore, Qarni does not teach or suggest Applicant's invention as recited in independent claims 5, 10, and 16. Dependent claims 11 and 17 depend from independent claims 10 and 16, respectively. Therefore, dependent claims 11 and 17 are patentable over Qarni for at least the above reasons in addition to the features recited therein. As such, Applicant respectfully requests reconsideration and withdrawal of the Examiner's rejection of the aforementioned claims, and allowance thereof.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Kendrick P. Patterson
Attorney for Applicant
Registration No. 45,321

Date: 07-29-2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

241690_1.DOC